

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

VELMA J. SUTTON,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY
ADMINISTRATION,

Defendant.

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: CIVIL ACTION NO. 04-10 (MLC)
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: **MEMORANDUM OPINION**
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THE COURT having directed the plaintiff – by order to show cause dated February 27, 2006 – to show cause by March 16, 2006, why the complaint should not be dismissed for failure to abide by Local Civil Rule 9.1 (dkt. entry no. 7); and it appearing that the plaintiff brought this action under 42 U.S.C. § 405(g) seeking review of a determination by the Social Security Administration (dkt. entry no. 1); and it appearing that the defendant filed (i) an answer on October 7, 2005, and (ii) the administrative record on October 31, 2005 (dkt. entry no. 6), see L.Civ.R. 9.1(a)(1); and it appearing that the plaintiff has failed to (i) within 14 days of the answer, file a statement setting forth the primary contentions or arguments entitling her to relief, or (ii) serve a brief setting forth all errors that she contends entitle her to relief, see L.Civ.R. 9.1(a)(2)-(3); and it appearing that the plaintiff has failed to proceed for more than four months; and

IT APPEARING that the Court is authorized to impose sanctions on the plaintiff for failing to comply with Local Civil Rule 9.1(a), see L.Civ.R. 9.1(b); and the Court being authorized to impose harsh penalties when enforcing the Local Civil Rules, see Kabacinski v. Bostrom Seating, No. 03-1986, 2004 WL 628867, at *3 n.3 (3d Cir. Mar. 30, 2004), United States v. 11 Vehs., Their Equip. & Accessories, 200 F.3d 203, 214 (3d Cir. 2000); and

THE PLAINTIFF failing to respond to the Court's order to show cause; and thus the Court intending to (1) grant the order to show cause, and (2) dismiss the complaint; and for good cause appearing, the Court will issue an appropriate order and judgment.

s/ Mary L. Cooper
MARY L. COOPER
United States District Judge